

MEMO ENDORSED

Federal Defenders
OF NEW YORK, INC.

Southern District
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White Plains, N.Y. 10601
Tel: (914) 428-7124 Fax: (914) 997-6872

David E. Patton
Executive Director
and Attorney-in-Chief

Susanne Brody
Attorney-in-Charge
White Plains

January 14, 2021

Via E-mail and ECF

The Honorable Nelson S. Roman
District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Deft's application granted by Order
dated Jan. 14, 2021 (ECF No. 36).
Clerk of Court requested to terminate
the motion (doc. 37).
Dated: Jan. 15, 2021

SO ORDERED:

Re: United States v Dillion Purdy
20 Cr.48 (NSR) -01

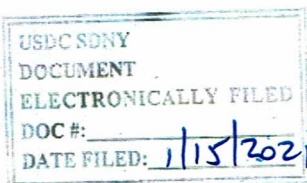

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Roman:

This Petition is written on behalf of Mr. Dillion Purdy. Mr. Purdy was initially presented on December 18, 2019, on a Complaint charging violations of Title 18 USC sec. 1951, Hobbs Act Robberies. He was detained at that time and has remained in custody for more than one year. On January 22, 2020, he was arraigned on an Information and waived a Grand Jury. The Information is a One Count Hobbs Act Robbery Charge. The government drafted a Plea Agreement dated March 4, 2020, which Mr. Purdy has agreed to accept. Notably since that time he has been unable to schedule an in person plea. It is his desire to withdraw his plea of not guilty and plead pursuant to the Plea Agreement. He would consent to enter this plea by video or telephone conference and understands he has an absolute right to be physically present in the courtroom. As a result of the COVID-19 pandemic and Judge McMahon's order regarding Court operations,¹ I am writing to ask that Mr. Purdy be permitted to be sentenced remotely via videoconference or teleconference pursuant to Section 15002(b)(2)(A) of the Cares Act.

A remote plea is appropriate under the Cares Act because further delay would cause serious harm to the interests of justice. Mr. Purdy has been in custody for 11 months and he is not facing a mandatory minimum. The Plea Agreement

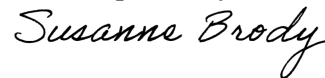
¹ See January 6, 2021 Order, available online:
<https://www.nysd.uscourts.gov/sites/default/files/2021-01/20-mc-622.1st.Am.Standing%20Order%20%28corrected%29%20Suspension%20of%20In-Person%20Operations.pdf>



contemplates a Guideline range of 51-63 months. Under these circumstances, delay could very well cause serious harm to the interest of justice as Mr. Purdy, through no fault of his own, would like to plead, be sentenced and not remain in limbo as the wheels of justice have come to a screeching halt. A further consideration is the overwhelming backlog of cases that has resulted in the multiple court closures since March 2020. At this time there was no way to foresee when the Covid-19 pandemic will allow courts to resume business as usual and there is no certainty as to when the courtrooms will be opened for physical appearances.

Therefore, we respectfully ask this Court to grant this request and allow Mr. Purdy to enter his guilty plea. Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Susanne Brody".

Susanne Brody,

cc: Shiva H. Logarajah, AUSA

Mr. Dillon Purdy